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UNCLAS HO CHI MINH CITY 000917

SIPDIS

SENSITIVE

DEPARTMENT FOR EAP/BCLTV, DRL

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SUBJECT: DEMOCRACY ACTIVIST TRAN KHUE SENTENCED TO TWENTY MONTHS

REF: HCMC 0873

1. (SBU) The Ho Chi Minh City People's Court convicted detained democracy activist Tran Khue of violating administrative detention and abusing democracy and freedom to undermine national interests on July 9th. Khue was sentenced to 19 months, with credit for 18 months and nine days time served. The charge of espionage was dropped, as reported reftel. Khue is scheduled to be released on July 31.

2. (SBU) According to family members (strictly protect), Khue chose to defend himself in the four and a half hour trial, rather than employ two attorneys he had retained for that purpose. With the sounds of a celebration in the background, one of Khue's adult children told ConGen that Khue mounted a spirited defense in the face of heated questioning. He said discussions during the trial, which lasted from 08:00 to 12:30, were "not pleasant."

3. (SBU) Despite a negative response from the HCMC External Relations Office (ERO - the southern branch office of the Ministry of Foreign Affairs), to a formal ConGen request to attend the trial, ConGenoffs made one last-ditch effort to persuade court officials to admit them to the early morning proceedings. While ConGenoffs were ultimately unsuccessful in gaining entrance, family members later said they were pleased to see them at the courthouse. Court officials invited up to ten family members to witness the trial, although only seven actually chose to attend.

4. (SBU) Khue, an elderly writer and former literature professor, was arrested on Dec. 29, 2002, just a few days after he met with fellow democracy activist Pham Que Duong in HCMC. (Duong was arrested one day earlier at the HCMC train station, and is due to be tried in Hanoi on July 14.) At the time of his arrest, he was under an administrative detention order imposed one year earlier for his role in seeking to register an independent, nationwide anti-corruption organization.

5. (SBU) Comment: Post was dismayed but not surprised at the lack of access to this most recent high-profile trial in HCMC. Unusual, however, was the telephone call from ERO at approximately 10:30 a.m. informing ConGen that Khue was likely to receive a relatively light sentence for a lesser offense. That they provided this information just barely halfway through the trial speaks volumes for the judicial process, but is another in a series of recent indications that the GVN is trying to score points with the international community on its human rights record. Next week's trial of Khue's colleague, Pham Que Duong, in Hanoi, will be the next big test.

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